

CITY COUNCIL STUDY SESSION MINUTES

December 1, 2009

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in a Study Session at 5:30 p.m. in the Municipal Building Conference Room on the 1st day of December, 2009, and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray, and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

PRESENT: Councilmembers Atkins, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal

ABSENT: Councilmember Butler

DISCUSSION REGARDING THE RECOMMENDATION FROM THE PLANNING COMMISSION ON A PROPOSED MIXED USE ZONING DISTRICT ORDINANCE.

Mr. Steve Lewis, City Manager, said mixed use was discussed in a Joint City Council/Planning Commission (PC) meeting in June, 2009, to introduce a Mixed Use District within the base Zoning Ordinance. He said the Planning and Community Development Committee (PCDC) has also discussed the issue for several months and provided direction to Staff on drafting the proposed ordinance.

Ms. Susan Connors, Director of Planning and Community Development, said discussion began at the City Council PCDC in March, 2009, which was then reviewed at a Joint City Council/Planning Commission study session on June 2, 2009. She said the City Council wanted to create a new district that targeted redevelopment areas and provide opportunities in the urban areas to revitalize commercial areas; create a mix of commercial office and civic uses along with residential areas; create areas of mixed high density housing with an emphasis on residential housing types and different densities not particularly seen in Norman at this time; preserve environmentally sensitive areas; and provide pedestrian and bicycle accessibility. She said the PC worked on the ordinance from July through October and a final draft ordinance was completed on October 22, 2009, which the PC unanimously endorsed.

Ms. Connors explained the current regulations and said Staff's only current tool for mixed use is in the Planned Unit Development (PUD) Zoning District that can be used for any combination of uses not allowed in the general zoning districts. She said the PUD allows for design flexibility and more variety of uses, but it is usually the developers vision that drives the development and not the City's vision. She said PUD standards are more stringent than the regular zoning districts so its intent is to get a better quality of development and limit uses on a site to allow for more innovation and design and is a valuable tool for the City to continue to use.

Ms. Connors said MUZ will stir revitalization through a specific mix of uses as follows:

- Be pedestrian friendly
- Use compact development
- Allow different housing types with greater density
- Allow integrated land uses
- Require design parameters with common landscaping and architecture to create a better sense of belonging with residential areas

Ms. Connors reviewed the different requirements for PUD and MUZ. She said the MUZ District requirements should emphasize pedestrian orientation; have both allowable and non-allowed uses; discuss the location; size of the district should be large enough to be effective, but also small enough to allow for infill projects; public spaces in the form of plazas or parks should integrate with the streets; streetscape needs to be carefully incorporated to include landscape elements; and the location and amount of parking needs to be taken into consideration because on street parking is expected and open parking lots should not be allowed to dominate the street frontage. She said Staff also considered architecture to achieve a variety of buildings; mandating the mix of residential densities; identifying minimum and maximum densities; emphasizing pedestrian bicycle connections in self-contained communities; identifying setbacks; addressing lighting of public spaces; and controlling signage.

Mr. Doug Koscinski, Current Planning Manager, provided an overview of the draft ordinance and said the ordinance includes mixture of uses that include pedestrian orientation with pedestrian being the priority movement as well as bicycles and walking. Streets are to be multi-modal with extra width and pedestrian stopping points. He said uses allowed will include all residential types including live/work units; neighborhood oriented small scale retail; personal services; offices; and institutional uses i.e. schools, daycares, municipal. He said some prohibited uses will be open storage such as junk yards and building materials; auto oriented such as gas stations and auto sales; mini storage buildings; and kennels with outdoor runs. Mr. Koscinski said special uses will be allowed, upon Council approval, such as bars, clubs, taverns; religious uses; large theaters; non-residential single use; and non-residential building not over 20,000 square feet. He said density is relatively high for Norman since the most dense apartment complex in Norman at 36th and West Main is at 26 units to the acre and this density would be allowed in MUZD. He said the mixture of residential types and uses is mandated under the ordinance with 50% to 75% residential; 10% to 25% non-residential; 25% of land area must be open space; and commercial and office buildings must have residential use on upper floor. He said there will be a minimum of two types of residences allowed with the minimum mix being 25% of each type of countable units and on five acres or more, you must have three types of housing, but no individual type can exceed 50%.

Mr. Koscinski said a large part of the PC discussion focused on design standards, which makes the MUZD ordinance different from other zoning ordinances. He said general standards require non-residential uses to be close to the center patterned after transit oriented development. The center could be a transit stop, a major highway intersection, or commercial open space. He said other uses should also be near the center and housing types or styles should be mixed near each other. He said unlike the current subdivision requirements, the amount of cul-de-sacs will be limited with streets being interconnected.

Mr. Koscinski said non-residential building standards will allow zero side and rear yard setbacks unless it abuts residential use outside of the MUZD. He said there are four basic categories of design standards - pedestrian, non-residential, residential, and parking. He said pedestrian design standards emphasizes a connectivity between businesses, parks, and all destinations and the width has been increased from a four foot standard sidewalk to a standard five foot for residential areas, ten foot for non-residential areas, and sixteen foot for retail areas to accommodate outdoor seating.

Non-residential design standards must be constructed at the front property line or no more than five feet away. The entrance must face the front of the lot, building articulation is required, four sided architecture, ground floor windows must equal 40% of the façade, and two-story buildings are required and if not two-story, then at least 22 feet for a single story to create a presence of a building not a parking lot.

Parking requirements are unique in that residential parking must be accessed from the rear; non-residential parking can be at the side, but must be side or rear only to avoid acres of parking; very limited number of driveway crossing of sidewalk, essentially one per block typically 300 to 400 feet long; 10% of required parking can be on-street; no excessive parking; and shared parking will be required.

Unightly parts of developments such as loading docks and trash areas must be screened from public streets by masonry walls, not be located adjacent to residential areas, and dumpsters must be at least 25 feet from residences.

Mr. Koscinski said the regulations on signs is a little more complicated to enhance the pedestrian element. He said pole signs will be prohibited as they are not pedestrian oriented so lower ground mounted monument signs with a maximum height and size will be allowed. He said projecting signs are encouraged, which are allowed under the Sign Code.

Mr. Koscinski reviewed open space requirements and said open space is a key element in PUDs and is a key element in MUZ as well. He said 20% of a development must be set aside and 7% of the total development has to be set up as a Central Plaza, which could be a park or green space but must be a central focal point for that development or community. Half of the central space must be bounded by streets and high rise residential buildings. A focal point should be created in the central area, but an intermittent detention pond can not be in the area unless it is a permanent pond used as the focal point of the area.

Mr. Koscinski said street trees are required in the MUZ consisting of a six foot planting strip from the curb to the sidewalk every 50 feet. He said tree wells will be permitted in non-residential areas to allow opportunities for parking bicycles and other pedestrian interactivity. He said trees must surround the central area. He said a ten foot perimeter permanent masonry wall buffer is required when abutting residential areas

Ms. Connors highlighted potential areas where MUZD could occur. She said public meetings will be held for input from the community and Staff will meet with developers and local design professionals to discuss the ordinance. She said revisions could then be made and public hearings held during the PC and City Council meetings. Councilmember Kovach asked how Staff would decide where mixed use was going to be used. Ms. Connors said it could be identified in an updated 2025 Plan or Council could specify areas the City would like to see mixed use, but, as written, it would be a zoning ordinance where anyone could come in and request that zoning on property that would satisfy the requirements of the MUZD. Mr. Lewis said the ordinance will not initiate a zoning change against a persons will. Councilmember Quinn asked if the ordinance resembled any other City's mixed use ordinances and Ms. Connors said Staff reviewed approximately 50 different ordinances for ideas on what communities around the country were doing. Councilmember Griffith asked if visual examples would be given to the development community to help them grasp what is possible and Ms. Connors said the ordinance presented tonight is what would be presented to the development community, but they could include visuals.

Mr. Lewis said in the Joint PC/City Council Study Session in June, there were a lot of comments about the need to create an environment that would incentivize this type of development and asked if this ordinance would accomplish that or would other measures need to be taken to bring this to fruition. Ms. Connors said that was not discussed in too much detail, but the density was one issue that was thought to be a draw for this type of development. She said the compactness of the development was discussed in that open spaces can be plazas instead of green space. Mayor Rosenthal the positives are the higher density, shared parking, flexibility in design standards and setbacks, etc. Councilmember Kovach asked if residential parking in the rear would be an alley type driveway to include trash pickup and Mr. Koscinski replied, yes, as there would not be enough room in the front. Councilmember Dillingham felt this was a good piece of collaborative work and a very necessary and flexible tool in envisioning what Norman wants to be thirty years from now.

Items submitted for the record

1. Memorandum dated November 20, 2009, from Susan Connors, AICP, Director, Planning and Community Development Department, to Honorable Mayor and Councilmembers, Norman City Council
2. Map of Mixed Use Zoning District opportunities
3. PowerPoint presentation entitled, "Mixed Use Draft Ordinance," City Council Study Session, December 1, 2009

The meeting adjourned at 6:07 p.m.

ATTEST:

City Clerk

Mayor